

19-2390 ADCFILED _____ ENTERED _____
LOGGED _____ RECEIVED _____**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Special Agent Keith Murray, being duly sworn, depose and state that:

JUL 18 2019

INTRODUCTIONAT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

BY

I am a Special Agent with the Federal Bureau of Investigation (FBI), and have been since July 2017. I am currently assigned to FBI's Baltimore, Maryland field office. As a Special Agent of the FBI, I am authorized to investigate violations of laws of the United States, and I am a law enforcement officer with authority to execute arrest, search, and seizure warrants under the authority of the United States. I have participated in several criminal investigations involving civil rights investigations, police corruption, corruption of state and local public officials, white-collar crimes, and other unlawful activities. I have a finance degree, and prior to joining the FBI in Baltimore I was a Special Agent with Homeland Security Investigations working investigations involving drug trafficking, human smuggling, and bulk cash smuggling. I also have gained experience through training in seminars, classes, and everyday work related to these types of investigations.

PROBABLE CAUSE

1. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show that there is probable cause to believe that Stephen L. ORBACK committed the offense of communicating a threat, in violation of 18 U.S.C. § 875, hereinafter the TARGET OFFENSE, and does not set forth all of my knowledge about this matter.

2. L.D. (hereinafter "L.D.") works as the Office Manager for the Rosh Pina Messianic Congregation located at 3408 Walnut Avenue, Owings Mills, Maryland, 21117.



One of her duties as Office Manager is to answer all phone calls that are made to the congregation. The calls are automatically forwarded from the congregation to her cell phone. The phone number for the congregation is (410) 363-4954. L.D.'s phone number is (410) XXX-XXXX.

3. On May 12, 2019, at approximately 10:30 pm, L.D. was home with her husband and four (4) children when her cell phone rang. The incoming call showed the call as restricted. L.D. answered the phone and said "hello." The unidentified male caller (hereinafter UM) began making anti-Semitic and threatening comments. After approximately two (2) minutes, L.D. hung up the phone.

4. A few seconds after hanging up the phone, L.D.'s cell phone rang again from a restricted number. L.D. answered and activated the speaker function on the phone so her husband could hear what was being said. The UM continued to make anti-Semitic and threatening comments. After approximately 40 seconds, L.D. hung up the phone.

5. A few moments later, L.D.'s cell phone rang again from a restricted number. L.D. did not answer the phone. The call went to a voicemail associated with L.D.'s cell phone. The cell phone voicemail greeting identifies L.D. by name. L.D. believes this is when the UM heard her name and assumed she was African-American. The calls continued throughout the night. The voicemails then began including racially biased and threatening comments directed at L.D..

6. L.D. called the police due to the frequency and threatening nature of the calls. An officer with the Baltimore County Police Department arrived at L.D.'s residence. The officer spoke with L.D., collected some information related to the incident and left.

7. Several minutes later, an officer from a different precinct within the

Baltimore County Police Department arrived at L.D.'s residence and also collected information relating to the voicemails being left on L.D.'s phone. While the officer was present at L.D.'s residence, L.D.'s cell phone rang indicating a restricted phone number. The officer answered the call and identified himself as a Baltimore County Police Officer. The UM continued to make anti-Semitic, racially biased, and threatening comments to the officer. The officer hung up the phone and departed a few minutes later.

8. A short time later, the same officer returned to L.D.'s residence and advised L.D. that he needed to ask certain questions relating to the voicemails. Several minutes later, a Lieutenant with the Baltimore County Police Department arrived and advised L.D. that a Detective with Baltimore County would contact her the following day.

9. The next day Baltimore County Police Detective JENNIFER BARTFELD (hereinafter BARTFELD) called L.D.. BARTFELD talked with L.D. about acquiring L.D.'s cell phone records to try and identify the UM's cell phone number. L.D. obtained the cell records from the cell phone provider and sent them to BARTFELD.

10. On July 8, 2019, BARTFELD sent an electronic copy of L.D.'s cell phone records to FBI Special Agent (SA) Keith Murray. An examination of L.D.'s cell phone records indicated the phone number calling L.D. on May 12, 2019 at approximately 10:30 pm, was **(701) 491-2865** (Target Mobile Phone 1).

11. On July 8, 2019, FBI SA Murray received the results of a subpoena issued to T-Mobile by the Baltimore County Police Department regarding the Target Mobile Phone 1 from FBI Task Force Officer (TFO) Richard Johnson. TFO Johnson received the results from BARTFELD via email on July 3, 2019. An examination of the Target Mobile Phone 1 told records revealed a high number of calls including 40 calls to phone number

(520) 975-4489, the Chabad Hebrew School, located in Tucson, Arizona, all on May 12, 2019.

12. The subscriber information returned in the subpoena for the Target Mobile Phone' indicated the phone is a pre-paid phone and was activated at an undisclosed Walmart store on May 10, 2019. Because the phone is a pre-paid phone, there is no personal subscriber information associated with the phone.

13. On July 3, 2019, L.D. sent several emails to SA Murray containing electronic copies of the voicemails that were left on her cell phone. Below are the uncertified transcriptions of four (4) of those voicemails that were received between May 12, 2019 and the present day.

Male: You'll have just heard from Synagogue Rush Penis. Rush the Penis in our asshole. (Laughs). I., I got my nigger secretary, (laughing), Morticia Addams (laughing)..., I got Morticia Addams..., to wanna suck your dick so this is "Rush Penis" and we are located on Chestnut Street (slight laugh) and one of these days when we are walking out of our place of worship, all a sudden out of nowhere, a dozen bullets are gonna come out of somewhere and kill every goddamn last one of us. Oh my God, we keep thinking about that day. (Slight Laugh). Imagine that. You just finished your day of worship and you're tired from suckin' all those nigger dicks (slight Laugh or Cough)..., lickin' all that nigger ass..., and then all a sudden, bullets come out of nowhere and kill everyone of us. Oh my God! Wouldn't that be a disaster? (Laughs). (Sniffs). But remember, I know where you are..., and I hate fuckin' Jews and I hate fuckin' niggers so you know what..., (laughs)..., your day is comin' near. (Laughs). Your day is...

Female: (In background). (Unintelligible).

Male: ... comin' near. Imagine that. Huh. You just finished your day of eating chestnuts..., hmph..., suckin' nigger dick and playing with Morticia Addams' breasts and pussy hole and all a sudden..., just as you're getting ready to approach your car..., bang, bang, bang, bang, bang, bang, bang, bang, bang, bang, bang, bang. Machine... Sound of machine guns just like back in 1941. (Slight Laugh). They killed every last one of you cock suckers (coughs) in Germany but they didn't do a very good job here so I need to finish what they started. Yeah, yeah, yeah, yeah. (Laughs).

Male: Let me ask you this, during that place on Walnut Street in Owings Mill (sic) (slight laugh) (sniffs)_, and just when you're about ready to finish your little service there_, the Jews come out like_, like fuckin' rodents_, you know_, like the Pied Piper_, and they think they're getting in their car and getting' ready to go home to their other Jew bastards when all a sudden a maze of bullets just come flying out of these machine guns and kill every one of these fuckin' Jew bastard pieces of shit. They drop to their fuckin' knees and go "What just happened?" and they fall down dead and blood is all over the street and all over them and... (Sniffs). Hmph. Then the car comes to pick 'em all up_, the first call wagon_, and they take 'em to a medical Examiner. Medical Examiner then does an autopsy and finds out, "Well guess what? They were killed by a maze of bullets. (Laughs). Well we've got ourselves a pile of dead Jews. Isn't that wonderful? So what they do is they go down to the nearest gas station and they get a five gallon can of gas and they just throw a match on 'em and dump five gallons of gas all over 'em and guess what_, you have a crispy critter now. A dead fuckin' Jew_, a whole bunch of 'em_, and they're just layin' there dead. No more life. (Coughs). No more breath. No more anything. They're dead fuckin' Jews. (Coughs). (Sniffs). (Takes a breath). (Coughs). (Clears throat). So everybody calls "Rush their penis" down to the synagogue_, "Rush Penis Synagogue" or "Rush Their Penis" up into the peoples' asshole and this way, they can fuck the dead mother fuckers and fuck the live ones too. Hmph. (Sniffs). That's why he's called "Rush Penis." (Sniffs). You wanna "Rush That Penis" down there and hurry up and fuck 'em all. Yeah. Fuck the bastards..., hmph_, and then you have no more Jews. Isn't that wonderful? Remember, a world without fuckin' Kike fuckin' Jew bastards_, (coughs)_, and I wish we could talk. I wish we could get a world full of no niggers. Fuckin' Abraham Lincoln_, that cock suck...

(Cuts off).

Male: Hey, you fuckin' Jew bastards. Can't you afford a regular lunch? What's the matter_, don't have enough pennies? (Laughs). Your poor_, poor bastards. You know peanut butter and bread serves a lot of people you fuckin' goddamn Kike mother fucker. You're a bunch of tightwad fuckin' cock suckin' pieces of shit. You can't even afford to feed people lunch. You are a fuckin' god damn piece of shit. Ah... Just imagine that you're leavin'..., you're leavin' your little_, your little place of worship one_, one fuckin'_, one fuckin' Friday night or Saturday morning and all a sudden a maze of fuckin' automatic guns_, bullets just_, just overwhelm you and you fall to your knees and go "Oh my God, I just (Unintelligible) gotta go... Oh, oh isn't that terrible? Yeah, it is terrible because we shouldn't have to waste a cross of bullets on you_, your fuckin' god damn tight bitch mother fuckers..., you tight wad pieces of shit. (Unintelligible). A fuckin' soup kitchen probably serves more. Hey fuckin' Kike mother fuckers. Hell, we shouldn't spend that kind of money. We should pinch those pennies" tight. Let's just give 'em a real light lunch like grass and dandelions and put some_, put some ah_, and put some fuckin' (sighs) vegetable seasoning on it or

somethin' and they'll think they're eating a salad. (Laughs). I'd like to feed you all some potassium cyanide and you think you are eating something good (slight laugh) and the next thing you know, you keel over (Unintelligible) and you're dead..., dead..., dead. (Laughs). The only good Jew is a dead Jew and the only good nigger is a dead nigger..., (laughs)..., (coughs)..., and you sorry mother fuckin' Kike bastard.

(Pause).

Male: (Coughs).

Male: Hey, you stupid fuckin' goddamn dumb ass Jew bitch cunt. You got sperm runnin' out of the cracks of your nostril..., runnin' out of your asshole..., running out of your pussy lips..., running out of everywhere. You know why? You been fuckin' niggers. Why in the fuck would anybody wanna fuck a stinkin' nigger and then takin' a shower once every six months whether he needs it or not? You're the only fuckin' stupid ass cunt that gets on the telephone to listen to Rush Penis Synagogue..., rush your penis over here 'cause I'm a homely lookin' bitch and I haven't had any dick since I was three years old. (Slight Laugh). You're fuckin' pathetic bitch. You know that? You're fuckin' pathetic. And as for reporting me for calling you, you can call the State Police, you can call Scotland Yard, you can call the local precinct, you can call ah, (slight laugh) the police, I don't give a fuck who you call! If they can trace a goddamn Trak phone that you can buy in 7-11 at three o'clock in the morning that goes back to nothing and nobody, I'll take my hat off to them. You see you're a stupid fuckin' bitch that has the mentality of a fuckin' cockroach. You don't seem to understand. In this day and age, you know, back in the day when everything was all hooked up into wires and... Yeah, you know, you could do somethin' but you can't do a goddamn thing anymore bitch. You can't do a goddamn thing. Even if you change your fuckin' telephone number to a non-listed number, I can get it..., see..., because you don't have the equipment that I have. See? So you know what? You take your goddamn threats. You're threatenin' the wrong mother fucker here. You take your threats and shove 'em up your goddamn fuckin' stressed out pussy from every goddamn nigger (Unintelligible). How many inches do you... You probably got (Unintelligible) pu... (Unintelligible). (Pause). I bet all them niggers hate you. You must be one homely lookin' fuckin' bitch. Pussy stinks, breath stinks, body stinks. You ever try a shower once in a while? Hi. This is..., this is synagogue Rush-a-Penis Up in Me and we'll give you a piece of lunch 'cause we can't afford anything more than that. We'll give you a light lunch for, you know, letting me suck your dick. You're pathetic bitch. You're pathetic and you don't bother me. I don't care. I'm gonna call you way after your great-grandchildren are dead and gone. I'm still gonna be on this goddamn telephone callin'. You understand me? So you can sit there and eat your mother fuckin' walnuts and your chestnuts or whatever the fuck else you want old biddy. You ain't stoppin' shit. You understand? You ain't stoppin' shit.

14. On July 9, 2019, L.D. was interviewed by FBI SA Keith Murray and FBI TFO Jared Stern. L.D. advised that the only services taking place at the Rosh Pina Messianic Congregation are on Saturday morning's beginning around 10:30 am. After the service ends, members of the congregation head to the Jewish Community Center in Owings Mills, MD and feed a group of individuals from the area. This usually takes place around 2:00 pm. The members of the congregation feed the individuals bread, butter, peanut butter among other foods. L.D. advised the investigators that she was concerned when listening to one of the voicemails that the UM knew that members of the congregation delivered bread and peanut butter on Saturday afternoons in the Owings Mills area. L.D. believes that the UM must have been present during one of the trips the congregation made due to his knowledge of what takes place each Saturday.

15. During another voice message left on L.D.'s voicemail, the UM states "Come Saturday morning surprise of a lifetime. Fuck your world up!" Then on another voice message, "You got a surprise coming Saturday morning. Have yourself a grand old morning."

16. On July 15, 2019, investigators spoke with B.G., Assistant Director of Operations and Human Resources for the SIXTH and I HISTORIC SYNAGOGUE located at 600 I St NW, Washington DC 20001.

17. B.G. stated that the synagogue received several calls from an individual identifying himself as "Stephen Greenberg" demanding that the synagogue wire \$50 to him. Because the synagogue typically does not wire money to individuals, Greenberg continued to call demanding the money. Finally after approximately a month of phone calls and voicemails that were left for the synagogue, \$50 was wired to a location in

Colorado via MoneyGram. Greenberg told B.G. that he did not have a car and frequently used the local bus system to get around. Greenberg also stated that a friend needed to pick up the money for him and that the name of his friend was "Stephen ORBACK." BG felt like Greenberg was calling from somewhere in the Wisconsin or North or South Dakota area of the United States. BG stated that he received confirmation that an individual named Stephen ORBACK picked up the money on Wednesday, July 10, 2019, at approximately 6:42 PM Central time. The transaction number for the MoneyGram wire is 67168426. B.G. provided investigators with phone number (406) **545-8584**, Target Mobile Phone #2, as a contact number for Stephen ORBACK.

18. Investigators received confirmation through Ace Cash Express and MoneyGram that Steve ORBACK, Arizona Identification Number B14157347, received \$50.00 U.S Currency from Ace Cash Express, on July 10, 2019, under MoneyGram transaction number 67168426. The \$50.00 was sent by B.G.

19. ORBACK was identified by investigators as Stephen Lyle Orback, Date of Birth, December 31, 1954, Arizona Identification Number B14157347. A review of records reveals that ORBACK has a record of felony arrests/convictions, including crimes of violence. There also appear to be outstanding warrants for his arrest in several jurisdictions. Although he used an Arizona identification document, his current address or residence is unknown.

20. A Rabbi for Chabad Lubavitch of Tucson, Arizona, 2443 East 4th Street, Tucson, AZ 85719, (hereinafter Rabbi #1) reported that on May 12, 2019 at 12:20AM, the Rabbi received a voicemail containing anti Semitic comments towards Rabbi #1's congregation. Rabbi #1's personal cellular telephone number was put on all of the advertisements for the synagogue after the synagogue's telephone lines started having problems. Further, the phone lines for the associated

Hebrew School were also being forwarded to the Rabbi #1's personal cellular telephone. Shortly after listing his telephone number on the advertisements, someone started calling his cellular telephone from a restricted number. The calls were coming in at all hours of the day. Rabbi #1 said that the "guy" is continuously calling. Rabbi #1 stated that sometimes he receives voicemail messages from the unknown caller, but the caller remains silent.

21. Rabbi #1 was previously the Jewish Chaplain for the State of Arizona prison system. Rabbi# 1 believes that the individual who is calling is a former inmate who he used to counsel. Rabbi #1 advised that he could not remember the individual's first name, but advised that the individual's last name was either Oirbach or Airbach (Phonetic Spelling).

22. Rabbi #1 advised that he received calls from a restricted phone number as recently as July 8, 2019. Rabbi#1 advised that there were a total of 23 incoming calls on July 8, 2019 that came in at 3:02AM and between 5:09AM and 5:14AM.

23. Investigators reviewed Rabbi #1's toll records and discovered that the same (701) 491-2865, Target Mobile Phone #1, phone number that called Rosh Pina Messianic Congregation in Owings Mills, Maryland, was also calling Rabbi# 1.

24. Investigators discovered that on or about July 2, 2019, the caller switched to telephone number (406) 545-8584, Target Phone #2. Records show that Rabbi # 1 received numerous phone calls from Target Phone #2, between July 2, 2019, and July 8, 2019.


25. On July 17, 2019, investigators spoke with Rabbi #1, who stated that he is still receiving phone calls. Photographs of Stephen ORBACK were sent to Rabbi #1 by investigators, based upon Rabbi #1 previous statement that he had previously counseled the individual he believed to be the caller. Rabbi #1 reviewed the photograph and responded, "1000%", acknowledging that ORBACK is the person he used to counsel in a

Arizona prison.

CONCLUSION


26. Based on the foregoing, I respectfully submit that there is probable cause to believe that ORBACK knowingly and willfully, committed violations of the TARGET OFFENSE of making threatening communications, in violation of 18 U.S.C. § 875, against Rosh Pina Messianic Congregation, Owings Mills, Maryland.

27. Wherefore, I respectfully request that the Court execute a criminal complaint and issue an arrest warrant for STEPHEN LYLE ORBACK.



Keith Murray
Special Agent, Federal Bureau of Investigation

Subscribed and sworn to before me this 18th day of July, 2019



A. David Copperthite
United States Magistrate Judge